

Borough of Allendale

Resolution 13-275

May 23, 2013

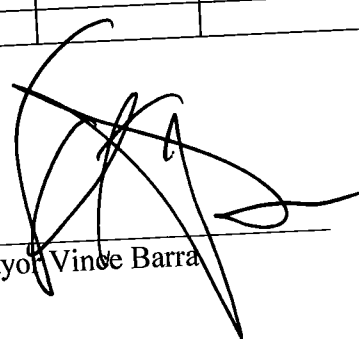
Adoption of Ordinance 13-12  
Amend Chapter 67 of the Code of the Borough of Allendale  
Salary Ordinance - Teamsters

**Be It Resolved** that an Ordinance entitled 13-12 "An Ordinance to Amend Chapter 67 of the Code of the Borough of Allendale Entitled 'Salaries and Compensation' " be passed upon second and final reading and that the Borough Clerk be and she is hereby authorized and directed to advertise the same according to law.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓		✓	
LaMonica			✓			
McSwiggan			✓			
Strauch			✓			
White	✓		✓			
Wilczynski		✓	✓			
Barra						

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on  
May 23, 2013

Gwen McCarthy  
Gwen McCarthy, R.M.C.  
Municipal Clerk

  
\_\_\_\_\_  
Mayor Vince Barra

May 23, 2013

Borough of Allendale

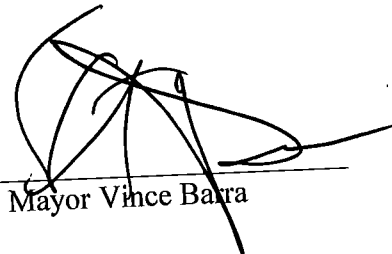
Resolution 13-276

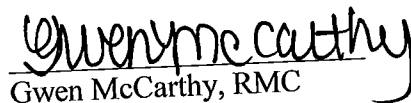
Appointment of Police Sergeants

**Be It Resolved** by the Governing Body that John Mattiace and Terrence Lawler are hereby appointed as Sergeants of the Allendale Police Department effective June 1, 2013 at a salary of \$121,929 each which shall be pro rated as of June 1, 2013.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein	✓		✓			
LaMonica			✓			
McSwiggan			✓			
Strauch			✓			
White			✓			
Wilczynski		✓	✓			
Barra						

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\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Borough of Allendale

May 23, 2013

Resolution 13-277

Acceptance of Steel from the World Trade Center

**Whereas**, the Port Authority of New York and New Jersey (the "Port Authority") has agreed to convey to the Borough of Allendale (the "Borough") that certain piece of steel of the former World Trade Center identified as I-0138 in the Port Authority's Archive: Artifact Inventory Report of January 31, 2007 (the "Steel");

**Whereas**, the Borough has requested that the Steel be made available to it in its present condition, subject to the terms and conditions of a certain letter agreement dated May 10, 2013 ("the agreement"), attached hereto;

**Whereas**, the Governing Body has reviewed said agreement and concurs in same;

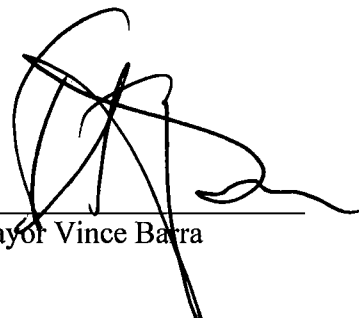
**Now, Therefore, Be It Resolved** by the Governing Body that it does hereby agree to accept the Steel subject to the terms and conditions of the agreement;

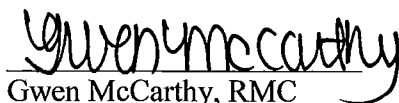
**Be It Further Resolved** that the Mayor and/or Councilwoman Amy Wilczynski are authorized to sign the agreement and return same to the Port Authority.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan			✓			
Strauch			✓			
White		✓	✓			
Wilczynski	✓		✓			
Barra						

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May 23, 2013

  
\_\_\_\_\_  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

Friday, May 10, 2013

The Port Authority of New York and New Jersey  
225 Park Avenue South  
New York, New York 10003

The purpose of this letter is to confirm and memorialize the full and complete legal transfer by The Port Authority of New York and New Jersey (the "Port Authority") to Borough of Allendale of that certain piece of steel of the former World Trade Center, identified as I-0138 in the Port Authority's World Trade Center Archive: Artifact Inventory Report of January 31, 2007 (the "Steel"). Borough of Allendale has requested that the Steel be made available to them, in its present condition.

1. A property interest in the above-described Steel is hereby conveyed, and full and complete legal ownership of the Steel is given.
2. The Port Authority makes no representation or warranty whatsoever as to the condition or fitness of the Steel, either express or implied, and no Commissioner, officer, agent, or employee of the Port Authority is authorized to make any representation or warranty as to the Steel. Borough of Allendale shall have no claim against the Port Authority for any defect or other condition of the Steel and agrees to accept the Steel "as is." There are no warranties, express or implied.
3. Borough of Allendale agrees to defend, indemnify and hold the Port Authority, its Commissioners, officers, representatives and employees harmless from and against all losses, liabilities, damages, injuries, claims, demands, costs, attorney fees, and other expenses incurred by the Port Authority and/or its Commissioners, officers, representatives and employees in any manner resulting from or arising with respect to Borough of Allendale's possession, use or operation of the Steel or the possession, use or operation of the Steel by any person under the control and authority of Borough of Allendale.
4. Borough of Allendale will be responsible for all costs of the removal and transportation of the Steel to its facility.
5. This agreement may not be assigned by either party without the approval of the other party.
6. This Agreement is subject to all the terms and conditions of either or both of a Court Order dated December 4, 2009 or July 22, 2010, of the United States District Court for the Southern District of New York, both annexed hereto.

7. Any written notice given by either party to the other under the provisions of, or with respect to, this letter agreement, shall be delivered in person, or by certified or registered mail to the following addresses:

Port Authority:                      The Port Authority of NY & NJ  
225 Park Avenue South  
New York, NY 10003  
Attn.: Executive Director

The Port Authority of NY & NJ  
225 Park Avenue South  
New York, NY 10003  
Attn.: General Counsel

Borough of Allendale:              Borough of Allendale  
500 West Crescent Ave.  
Allendale, NJ 07401

or to such other address(es) as each party hereto may notify the other.

8. This agreement shall be governed by and construed in accordance with the laws of the State of New York.
9. The entire agreement of the parties is contained herein and no changes or modifications shall be valid or enforceable unless in writing and signed by the party to be charged therewith.
10. Neither the Commissioners of the Port Authority, nor any director, officer or employee thereof shall be held personally liable under or in connection with this letter agreement.
11. If any provision of this letter agreement is determined to be unlawful, contrary to public policy, void or unenforceable, all remaining provisions shall continue in full force and effect.

To confirm the agreement of the Port Authority with the foregoing, kindly sign a counterpart of this letter in the space provided below, and return such signed counterpart to the attention of the undersigned.

Very truly yours,

---

Amy Wilczynski  
Councilwoman

Borough of Allendale

The Port Authority of New York and New Jersey

By: \_\_\_\_\_  
Title: Executive Director

Borough of Allendale

Resolution 13-278

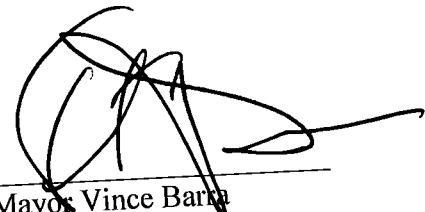
May 23, 2013

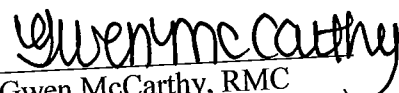
List of Bills

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves the Bill List dated May 23, 2013.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White			✓			
Wilczynski		✓				
Barra						

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May 23, 2013

  
Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-279

Salary Resolution  
Department of Public Works and Water Utility

**Be It Resolved** that the following are the salaries for the Department of Public Works and Water Utility effective as of January 1, 2013.

**Department of Public Works**

Cameron, Steve	54,060
Davis, Dan	54,060
Frazier, Raymond	54,060
McDowell, Richard	54,060
Pasquino, John	42,840
Richard, Daniel	42,840
Simon, Lonnie	51,000
Ziegelhofer, William	53,040
Starting Salary	33,000
Standby Per Week	200

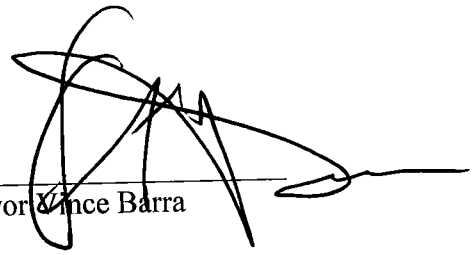
**Water Utility**

Simon, Layne	61,200
Moritz, James	54,060
Starting Salary	33,000
Standby Per Week	200

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White						
Wilczynski		✓	✓			
Barra						



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Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-280

Designation of Bond Anticipation Notes as  
Tax Exempt Obligations

**Whereas**, the Borough of Allendale in the County of Bergen, New Jersey (the "Borough") intends to issue \$2,218,840 of notes consisting of \$1,979,640 General Bond Anticipation Notes and \$239,200 Water Utility Bond Anticipation Notes, both issues dated May 9, 2014 (the "Notes"); and

**Whereas**, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

**Now, Therefore, Be It Resolved** by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

**Section 1.** The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b) (3) of the Code.

**Section 2.** It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2013.

**Section 3.** It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2013:

Amount: \$1,404,850 Bond Anticipation Notes  
Dated: 2/1/13  
Due: 1/31/14

**Section 4.** The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

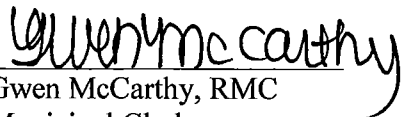
**Section 5.** The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2013 dated as of the date of delivery of the Notes.

**Section 6.** This resolution shall take effect immediately upon its adoption.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
Barra						

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Mayor Vince Barra

  
Gwen McCarthy, RMC  
Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-281

Renewal of ABC License

**Whereas**, the following licensees have made application for the renewal of their Alcoholic Beverage Licenses; and

**Whereas**, all requirements in connection therewith have been met,

**Now, Therefore, Be It Resolved** by the Mayor and Council that the following licenses are hereby renewed for the period July 1, 2013 to June 30, 2014.

PLENARY RETAIL CONSUMPTION LICENSES

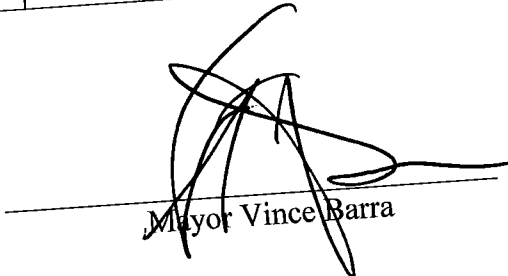
0201-33-006-007

Savini Restaurant, LLC  
168 West Crescent Avenue

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White						
Wilczynski		✓	✓			
Barra						

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Gwen McCarthy, RMC  
Municipal Clerk

  
Mayor Vince Barra

May 23, 2013

Borough of Allendale

Resolution 13-282

Award Bid for 2013 Road Resurfacing Program

**Whereas**, the Borough of Ramsey acting as the lead agency through the Northwest Bergen Corporative Pricing Program advertised for bids for the resurfacing of certain streets within the Boroughs of Allendale, Glen Rock, Franklin Lakes, Ho-Ho-Kus, Midland Park, Ramsey, Saddle River, Waldwick as well as the Township of Wyckoff and Village of Ridgewood; and

**Whereas**, a total of eight (8) bids were accepted on April 2, 2013 and were reviewed by the appropriate recommending authorities; and

**Whereas**, D&L Paving Contractors, Inc. 681 Franklin Avenue Nutley, New Jersey 07110 is the lowest responsive bidder;

**Whereas**, the Borough of Allendale's share of the resurfacing is Three Hundred Sixty-one Thousand, Nine Hundred Fifty-two Dollars and .97 Cents (\$361,952.97);

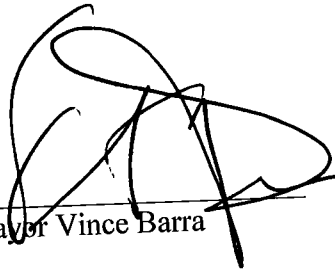
**Whereas**, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the contract;

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that the contract for resurfacing of designated streets in the Borough of Allendale is hereby awarded to D&L Paving Contractors, Inc. for the amount of Three Hundred Sixty-one Thousand, Nine Hundred Fifty-two Dollars and .97 Cents (\$361,952.97);

**Be It Further Resolved** that the Mayor and Municipal Clerk are authorized to sign an agreement with D&L Paving Contractors, Inc. following legal review.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White						
Wilczynski		✓	✓			
Barra						

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may 23, 2013

  
\_\_\_\_\_  
Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-283

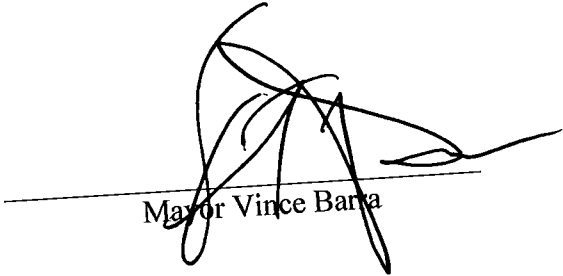
Appointment of Crew Chief

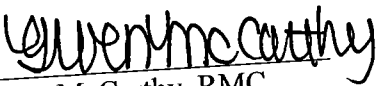
**Be It Resolved** by the Governing Body that Dan Davis is hereby appointed as Crew Chief in charge of facilities through December 31, 2012;

**Be It Further Resolved** that the aforesaid Crew Chief will receive an additional \$3,000.00 per annum for said position. Said amount to be pro-rated retroactive from March 1, 2013 through December 31, 2013.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White						
Wilczynski		✓	✓			
Barra						

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Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-284

Chapter 159 – Insert an Item of Revenue  
Clean Communities Grant

**Whereas**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**Whereas**, the Director may also approve the insertion of an item of appropriation for equal amount;

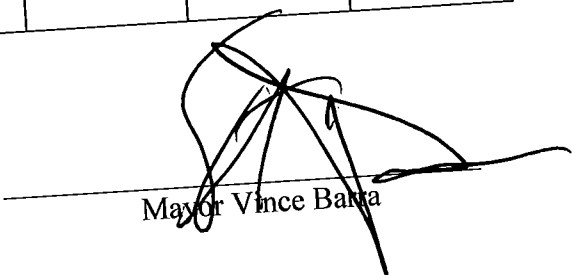
**Now, Therefore, Be It Resolved**, Mayor and Council of the Borough of Allendale in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,281.72, which is now available from the State of New Jersey, Clean Communities Grant, in the amount of \$12,081.72.

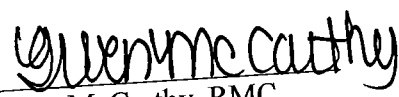
**Be It Further Resolved**, that the like sum of \$12,081.72 is hereby appropriated under the caption Clean Communities; and

**Be It Further Resolved** that the above is the result of funds from the State of new Jersey Clean Communities Fund in the amount of \$12,081.72.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White			✓			
Wilczynski		✓	✓			
Barra						

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Gwen McCarthy, RMC  
Municipal Clerk



May 23, 2013

Borough of Allendale

Resolution 13-285

Crestwood Lake Staff Appointments

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following salaries are hereby approved for the Crestwood Lake Swim Club 2013 Season as follows:

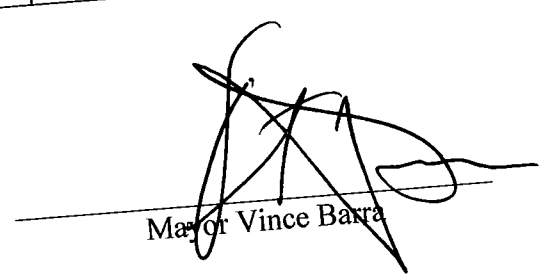
**Lifeguards**

Samantha Finkelstein      \$      8.50/hour  
Eleni Backos                      \$      8.50/hour

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			✓
White		✓	✓			
Wilczynski						
Barra						

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Municipal Clerk

  
Mayor Vince Barra

Borough of Allendale

May 23, 2013

Resolution 13-286

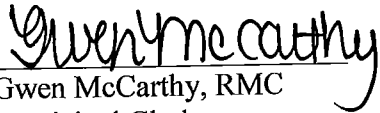
Appointment of an Hourly, Part-time, Seasonal Intern

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Deborah Gravina be appointed as an hourly, part-time, seasonal Intern effective May 24, 2013 at a rate of \$10 an hour.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
Barra						

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Borough of Allendale

Resolution 13-287

Appointment of Seasonal Employee

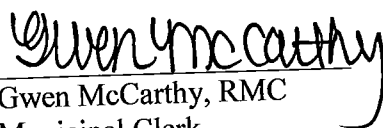
**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following individual be appointed as a Seasonal Employee:

Name	Department	Appointment Date	Salary
Shawn Pospisil	Public Works	May 24, 2013	\$10.50/hour

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
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Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-288

Approval of Farmers Market

**Be It Resolved** by the Governing Body that a "Farmer's Market" is hereby authorized to commence on June 1, 2013 from 10 a.m., until 2 p.m. and each Saturday from 10 a.m. until 2 p.m. thereafter through November 16, 2013; and


**Be It Further Resolved** that said Farmer's Market shall be located on West Allendale Avenue from the clock to and including Central Avenue; and

**Be It Further Resolved** that traffic and safety issues shall be subject to the supervision of the Allendale Police Department and the Police Department shall report back to the Governing Body regarding traffic and safety issues after the first two Farmer's Market events; and

**Be It Further Resolved** that all vendors shall apply for, obtain and pay the fees for any permits required and shall be subject to all Board of Health regulations.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein		✓	✓			
LaMonica			✓			
McSwiggan			✓			
Strauch	✓		✓			
White			✓			
Wilczynski			✓			
Barra						

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May 23, 2013

Borough of Allendale

Resolution 13-289

Authorize Bids for Police Department  
Accreditation Services

**Be It Resolved** by the Governing Body that the Municipal Clerk is authorized to advertise for bids in a legal newspaper of the Borough for consulting services to assist in securing New Jersey Law Enforcement Accreditation for the Allendale Police Department.


	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
Barra						

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Borough of Allendale

Resolution 12-290

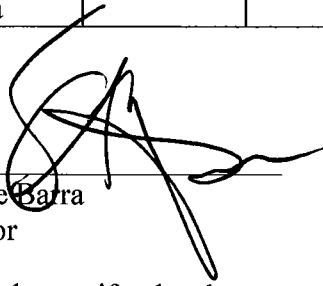
Approval of Raffle License #388  
Waldwick Lions Club

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves Raffle License #388 as follows:

Waldwick Lions Club  
Off Premises Draw Raffle for Merchandise  
August 28, 2013  
7:00 to 9:00 p.m.  
Raffle Location: Allendale Bar and Grill

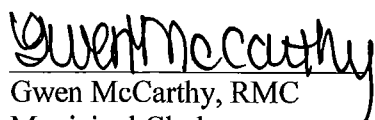
Prize: New York Giants Season Tickets

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch						
White						✓
Wilczynski		✓				
Barra						



Vince Barra  
Mayor

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on  
May 23, 2013



Gwen McCarthy, RMC  
Municipal Clerk

May 23, 2013

Borough of Allendale

Resolution 13-291

Donation of Vehicle

**Whereas,** the Borough of Allendale owns a 1999 Ford Crown Victoria 4 door sedan, VIN # 2FAFP71W9XX216271, License Plate MG27401, that is no longer needed by the Borough and which is inoperable due to engine failure, and the cost to repair the repair engine exceeds the value of the vehicle and;

**Whereas,** the emergency equipment, license plates and markings have been removed from the vehicle and it is out of service and;

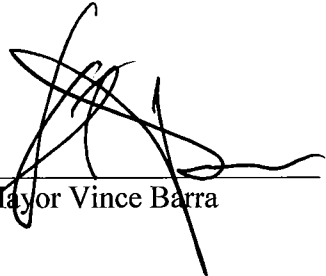
**Whereas,** the cost to auction the vehicle meets or exceeds the vehicles junk value and;

**Whereas,** the Greenwood Forest Volunteer Fire Company, Hewitt, NJ, submitted letters to area Police Departments on April 23, 2012, looking for donated vehicles to refurbish as a Greenwood Forest Fire Department command vehicle, and the current Chief of the Greenwood Forest Volunteer Fire Company indicates on May 23, 2013 that they possess engine and parts and donated labor to refurbish the Borough of Allendale's inoperable 1999 Ford Crown Victoria,

**Now, Therefore, Be It Resolved** that the Borough of Allendale donate and transfer title to the 1991 Ford Crown Victoria VIN #2FAFP71W9XX216271 to the Greenwood Forest Volunteer Fire Company.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
Barra						

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on  
May 23, 2013

  
\_\_\_\_\_  
Mayor Vince Barra

Gwen McCarthy  
Gwen McCarthy, RMC  
Municipal Clerk



May 23, 2013

Borough of Allendale

Resolution 13-292

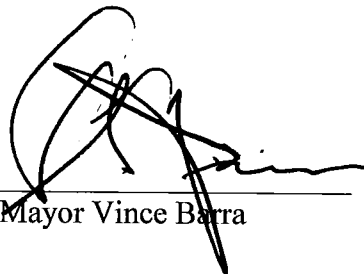
Construction Code Clerk/Clerk Typist

**Be it Resolved** by the Governing Body that effective June 1, 2013 the position of Construction Code Clerk/Clerk Typist FT shall become an hourly, part-time position without benefits; and


**Be It Further Resolved** that said position shall be 25 hours per week at an hourly rate of \$15.38 hour.

	Mot.	Sec	Yea	Nay	Absent	Abstain
Bernstein			✓			
LaMonica			✓			
McSwiggan	✓		✓			
Strauch			✓			
White						✓
Wilczynski		✓	✓			
Barra						

I hereby certify the above to  
be a true copy of a Resolution  
adopted by the Governing Body  
of the Borough of Allendale on

  
\_\_\_\_\_  
Mayor Vince Barra

may 23, 2013

  
Gwen McCarthy, RMC  
Municipal Clerk

Certification of Availability of Funds

This is to certify to the of the Borough of Allendale that funds for the following resolutions are available.

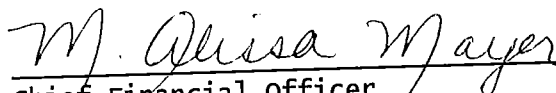
Resolution Date: 05/23/13  
Resolution Number: 13-282

Vendor: D0083 D & L PAVING CONTRACTORS  
P.O. BOX 507  
NUTLEY, NJ 07110

Contract: C1300003 D&L PAVING - 2013 PAVING

Account Number	Amount	Department Description
C-04-55-920-101	361,952.97	ORDINANCE 13-09
Total	361,952.97	

Only amounts for the 2013 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.

  
\_\_\_\_\_  
Chief Financial Officer